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Letter dated 4 December 2007 from the Minister for Foreign Affairs of Honduras to the Secretary-General

I have the honour to convey to you the views of the Government of the Republic of Honduras regarding the preliminary report submitted by Ambeyi Ligabo, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, who visited Honduras from 26 to 30 November 2007.

Considering that the Government of the Republic of Honduras guarantees freedom of expression and free access to information, I would appreciate it if the document in question were circulated to Member States of the Organization as a document of the General Assembly under agenda item 70 (c).

(*Signed*) Milton **Jiménez Puerto**
Minister for Foreign Affairs

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Annex to the letter dated 4 December 2007 from the Minister for Foreign Affairs of Honduras to the Secretary-General

Views of the Government of the Republic of Honduras regarding the preliminary report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

1. The Government and the President of the Republic promote and respect the right of citizens to be duly informed and guarantee free access to information, without any censorship whatsoever.

2. As proof of this, at the recent General Assembly of the Inter American Press Association (IAPA), President Zelaya Rosales, in an unprecedented act, expressed concern at the problem that ownership of the mass media is concentrated largely in a small group of private entrepreneurs who, in addition to running the communications business, are directly linked to matters relating to public administration, such as the supply of drugs to the public health system, arms purchases by the national security services, the telecommunications business and public works projects (roads, hospitals and schools).

3. There is no question that the private property of the communications media, and especially the electronic media since this sector is an oligopoly in Honduras, allows the owners as a group to control information and public opinion through the communications system; this has an impact on the dissemination of information, formation of opinions and slant of the news.

4. Thus, the visit by Ambeyi Ligabo, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, at the request of the Government of the Republic of Honduras, is of particular relevance since there is no doubt that freedom of expression is an indispensable requirement for the existence of a democratic society.

5. The Government of Honduras provided all necessary facilities for the success of the visit. However, it cannot be denied that in preparing for it, a meeting with the President of the Republic was not originally planned and that when an interest in such a meeting was ultimately expressed, the President had prior commitments on his agenda.

6. In addition, Mr. Ligabo's agenda, which was coordinated by the United Nations Development Programme (UNDP) Office in Honduras, was unbalanced from the point of view of the journalists with whom he met; this tended to convey a situation divorced from reality since most of the journalists interviewed are members of or associated with the media group that exercises the aforementioned oligopoly. This situation leads to conflicts of interest in relations between the Government and the private owners of the mass media, who use their media as instruments for pressuring economic and political opposition groups.

7. It is also important to note that, as the Special Rapporteur stated, some newspapers are dependent on State advertising. Of course, this accounts for less than 30 per cent of all advertisements in the press; they are found primarily in radio and television broadcasts.

8. Insecurity in the region is undoubtedly a sensitive and recurrent issue that has a negative impact on the domestic environment. In his preliminary statement, the Special Rapporteur explains that he will prepare a report that will include detailed observations and recommendations and will "strongly condemn" the murder of one journalist and the voluntary exile of two other journalists; he calls on the authorities to review and strengthen the protection programmes for journalists. In that regard, the Government of Honduras is making a great effort to confront the threat of organized crime, particularly drug trafficking, and, as is its obligation, to ensure the security of all citizens. It is therefore essential to determine whether these cases are linked and whether they are related to the exercise of the journalistic profession.

9. In the case of the murder of the journalist, Carlos Manuel Salgado Godoy, on 18 October 2007, an automatic investigation was opened and at 1.30 p.m. on 27 October 2007, German David Almendares Amador was captured; he is being prosecuted in the First Criminal Court of Tegucigalpa.

10. The attempted murder of journalist Héctor Geovanny García Castellanos on 7 September 2007 is under investigation by the Secretary of State for Security and the Public Prosecutor's Office.

11. Dagoberto Rodríguez, who has stated that he learned from an anonymous source that he, rather than Mr. Salgado, was the intended victim of the murder attempt, has lodged a complaint with the Human Rights Ombudsman. However, the police database has no record of a complaint that would make it possible to take the necessary steps to investigate the alleged attack on him, particularly as Mr. Rodríguez has shown no interest in informing the investigation team of his assertions. In any event, Mr. Rodríguez left the country on 1 November 2007 without giving testimony as a victim, which would be essential in directing the course of the investigation.

12. The Supreme Court is conducting a legal analysis of the decriminalization of offences against good reputation with a view to proposing such a reform to Congress once the various sectors of Honduran civil society have been consulted.